

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MICHAEL C. WASHINGTON,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-18-1116-D
)	
TIMOTHY ROGERS,)	
MICHAEL GILLESPIE,)	
TRACI SIMPSON,)	
KAY BAUMAN,)	
THE CITY OF OKLAHOMA CITY,)	
POLICE CHIEF BILL CITY,)	
LT. J. RODGERS,)	
OFFICER H. BENNETT,)	
OFFICER J. BUSCH, and)	
OFFICER G. BELL,)	
)	
Defendants.)	

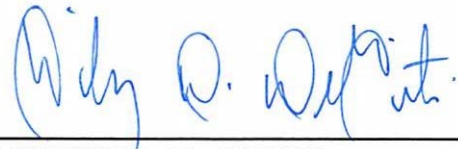
ORDER

Plaintiff, a *pro se* litigant, filed his lawsuit in Oklahoma County, Oklahoma, on December 7, 2017. [Doc. No. 1-1]. His Petition named Timothy Rogers, Michael Gillespie, Traci Simpson, and Kay Bauman as defendants. *Id.* On June 4, 2018, Plaintiff filed an Amended Petition with the same case number but named a different set of defendants – the City of Oklahoma City, Police Chief Bill City, Lt. J. Rodgers, Officer H. Bennett, Officer J. Busch, and Officer G. Bell. [Doc. No. 1-21]. The Amended Petition identified new causes of action, including § 1983 claims under the First, Fourth, and Fourteenth Amendments. *Id.* The case was removed to federal court on November 14, 2018, based on an assertion of federal question jurisdiction under 28 U.S.C. § 1331. [Doc. No. 1]. The Court denied Plaintiff’s Opposition to Removal and Plaintiff’s Motion to

Remand [Doc. Nos. 18, 25]. The record reflects that Timothy Rogers, Michael Gillespie, Traci Simpson, the City of Oklahoma City, Police Chief Bill Citty, and Lt. J. Rodgers have not been properly served either in this Court or in state court prior to the removal of the case.¹

Pursuant to FED. R. CIV. P. 4(m), Plaintiff is directed to show cause not later than October 25, 2019, why this action should not be dismissed without prejudice as to Timothy Rogers, Michael Gillespie, Traci Simpson, the City of Oklahoma City, Police Chief Bill Citty, and Lt. J. Rodgers for failure to effect service of process. In the absence of such a showing, this action may be dismissed without prejudice as to those named defendants without further notice to Plaintiff.

IT IS SO ORDERED this 11th day of October 2019.



TIMOTHY D. DeGIUSTI
Chief United States District Judge

¹ The Court takes judicial notice of the docket report on the Oklahoma State Courts Network, <http://www.oscn.net>, for Oklahoma County District Court Case No. CV-2017-2400. Further, in its Order dated April 29, 2019, the Court found that Lt. J. Rodgers had not been properly served. [Doc. No. 25 at 6].